

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

L.E. PAULI COFFEY,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:19-cv-03064-TWP-DLP
)	
STATE OF SOUTH CAROLINA,)	
)	
Defendant.)	

**ENTRY DENYING DEFENDANT’S MOTION TO SET ASIDE JUDGMENT
AND MOTION TO RECONSIDER**

This matter is before the Court on *pro se* Plaintiff L.E. Pauli Coffey’s (“Coffey”) Motion to Set Aside Final Judgment and Motion to Reconsider Petitioner’s Complaint and all Filings. (Dkt. 30.) The Court previously determined that Coffey’s Amended Complaint must be dismissed because this Court lacked subject matter jurisdiction. Coffey asks the Court to reconsider that ruling. For the following reasons, the Court **denies** Coffey’s Motion.

I. LEGAL STANDARD

Motions to reconsider “serve a limited function: to correct manifest errors of law or fact or to present newly discovered evidence.” *State Farm Fire & Cas. Co. v. Nokes*, 263 F.R.D. 518, 526 (N.D. Ind. 2009). The motion is to be used “where the Court has patently misunderstood a party, or has made a decision outside the adversarial issues presented to the Court by the parties, or has made error not of reasoning but of apprehension.” *Bank of Waunakee v. Rochester Cheese Sales, Inc.*, 906 F.2d 1185, 1191 (7th Cir. 1990) (citation omitted). A manifest error “is not demonstrated by the disappointment of the losing party. It is the wholesale disregard, misapplication, or failure to recognize controlling precedent.” *Oto v. Metropolitan Life Ins. Co.*, 244 F.3d 601, 606 (7th Cir. 2000).

“Reconsideration is not an appropriate forum for rehashing previously rejected arguments or arguing matters that could have been heard during the pendency of the previous motion.” *Ahmed v. Ashcroft*, 388 F.3d 247, 249 (7th Cir. 2004) (citation and quotation marks omitted). Relief pursuant to a motion to reconsider is an “extraordinary remed[y] reserved for the exceptional case.” *Foster v. DeLuca*, 545 F.3d 582, 584 (7th Cir. 2008).

II. DISCUSSION

Because Plaintiff is proceeding *in forma pauperis*, the Court was required to screen her Amended Complaint before service on the Defendant, and to dismiss this action if it was frivolous or malicious, failed to state a claim for relief, or sought monetary relief against a defendant who is immune from such relief. 28 U.S.C. § 1915(e)(2)(B). In determining whether the complaint states a claim, the court applies the same standard as when addressing a motion to dismiss under Federal Rule of Civil Procedure 12(b)(6). *See Lagerstrom v. Kingston*, 463 F.3d 621, 624 (7th Cir. 2006).

In her Amended Complaint, (Dkt. 19), Coffey sought compensatory and punitive damages against the State of South Carolina because the state of South Carolina “deprived her of due process rights more than seventy three (73) times” in connection with various state court proceedings, including a foreclosure proceeding for a house in South Carolina, and discriminated against her for being a female. As explained in prior orders, Coffey’s claim for compensatory and punitive damages against the State of South Carolina is barred by sovereign immunity. *See Cmty. Pharmacies of Ind., Inc. v. Ind. Family*, 801 F. Supp. 2d 802, 806 (S.D. Ind. 2011) (“because the State is the Defendant in this matter, the Plaintiffs cannot recover monetary damages due to the sovereign immunity afforded under the Eleventh Amendment.”)

In her Motion, Coffey merely repeats the arguments previously made, and she does not point to any manifest errors of law or fact or to present any newly discovered evidence. As

explained in the Court's Entry at Dkt. 6 and Dkt. 28, this Court has no jurisdiction or ability to grant Coffey's requests. Accordingly, the Court declines to grant the Motions to set aside or reconsider the dismissal of this action.

III. CONCLUSION

For the reasons stated above, Plaintiff Coffey's Motion to Set Aside Final Judgment and Motion to Reconsider Petitioner's Complaint and all Filings, Dkt. [30], is **DENIED**.

SO ORDERED.

Date: 11/1/2019

A handwritten signature in black ink, reading "Tanya Walton Pratt", is positioned above a horizontal line.

TANYA WALTON PRATT, JUDGE
United States District Court
Southern District of Indiana

DISTRIBUTION:

L.E. Pauli Coffey
3493 Birchwood Avenue
Indianapolis, Indiana 46205